

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

BRIAN MILLER,

Plaintiff,

-against-

THE CITY OF NEW YORK,

Defendant.

21-CV-4162 (LTS)

ORDER OF DISMISSAL

LAURA TAYLOR SWAIN, Chief United States District Judge:

By order dated May 18, 2021, the Court directed Plaintiff to file an amended complaint within sixty days. On June 8, 2021, the order was returned to the Court with a notation on the envelope indicating that Plaintiff had been discharged from the facility. Plaintiff has failed to notify the Court of a change of mailing address or initiate any further contact with the Court. Accordingly, Plaintiff's complaint, filed *in forma pauperis* pursuant to 28 U.S.C. § 1915(a)(1), is dismissed without prejudice. *See* 28 U.S.C. §§ 1914, 1915.

The Court certifies under 28 U.S.C. § 1915(a)(3) that any appeal from this order would not be taken in good faith, and therefore IFP status is denied for the purpose of an appeal. *Cf. Coppedge v. United States*, 369 U.S. 438, 444–45 (1962) (holding that an appellant demonstrates good faith when he seeks review of a nonfrivolous issue). The Clerk of Court is directed to mail a copy of this order to Plaintiff at his address of record, and note service on the docket.

SO ORDERED.

Dated: June 9, 2021
New York, New York

/s/ Laura Taylor Swain

LAURA TAYLOR SWAIN
Chief United States District Judge